

## **INTRODUCTION**

- My name is \_\_\_\_\_, and I'm a \_\_\_\_\_ Superior Court Judge here in Department \_\_\_\_\_.
- Welcome to jury selection.
- We expect this hearing to take about \_\_\_\_\_ minutes.

## **SWEARING IN**

- Before any questions are asked, an oath or affirmation is required. All of your answers must be open, honest, and forthright. At this time, I ask that you please raise your right hand, and I will administer this oath.
- "Do you solemnly swear or affirm that you will truthfully answer such questions as may be asked of you by the court or the attorneys concerning your qualifications to act as jurors in this case? If yes, please give me a thumbs-up."

## **WHY WE'RE ON ZOOM**

- You are here for jury selection, but you're on Zoom.
- Normally, you'd be in a room at the courthouse with approximately 150 people.
- And after an orientation, 50 of you would be crowded into my courtroom, where I currently am, for a full day of jury selection.
- Courts in Washington are actually not covered by the Governor's current order.
- We could require you to come participate in trial in-person, but we're not doing that.
- Instead, because of public health conditions, we're conducting jury selection over Zoom.
- We are having Zoom jury trials in part because, on the one hand, parties in lawsuits have a constitutional right to a jury trial, but on the other hand, the public health crisis means that we must take measures to minimize the spread of coronavirus.
- This means that we must work even harder to give the parties to this lawsuit a fair trial, and you as jurors play a very important role.

## TECHNOLOGY AND RULES

- If you become disconnected, please try to reconnect right away.
- If you cannot reconnect, please call our Bailiff, \_\_\_\_\_, immediately, at \_\_\_\_\_.
- Your identities are by juror number on the screen below you. Please do not try to change them.
- If you wish to answer a question, or have a thought, or want to say something, or have a question at any time, please physically raise your hand.
- Please do not communicate or interact with anyone else while on this Zoom with us. You must be able to remain focused on us.
- Please remain connected to Zoom during the entirety of the jury selection process.
- Please remain on the video feed throughout jury selection. Please do not switch off your video or switch to a photo of yourself.
- You must remain visible in the video feed throughout jury selection.
- During the hearing, do not get up to get a drink, go to the restroom, or deal with any event occurring in the place where you are.
- If you need to deal with something, please get my attention by raising your hand.
- Please leave your speakers and video on during the entirety of jury selection so that you can hear and see the courtroom participants.
- Please do not try to use the chat function, the record function, and please do not to personally try to contact anyone of the other jurors on Zoom or elsewhere.
- Please do not record or screenshot this Zoom call.
- We may screenshot you at various times for the sole purpose of allowing the lawyers to remember you at the end of this process, by juror number.
- All of court proceedings are audio recorded, so it is important that give verbal answers as opposed, for example, to a head nod.

## **TRIAL SCHEDULE**

- If you make it through the jury selection process and are actually chosen as a juror for the trial, we expect the trial to last until approximately \_\_\_\_\_.
- This is only an estimate.
- We don't promise an exact date when your jury service will end.
- It could be that the trial is shorter or longer than we anticipate.
- Your jury summons does not have a time-limit on it.
- If you're chosen for a trial, you're required to serve for the entire trial.
- Anticipated first day of trial: \_\_\_\_\_.
- We typically take two hours' worth of breaks during the day. One 15-minute break in the morning, a 90-minute break for lunch, and another 15-minute break in the afternoon.

## **OPENING INSTRUCTIONS**

- The purpose of this jury selection process is to make sure that we select a jury that is free from any outside or pre-existing bias that might interfere with the jury's ability to fairly decide the case based on the evidence and the law that you receive in the courtroom.
- Now, I would like to introduce the case, the parties and counsel to you:  
\_\_\_\_\_.
- It is important that you discharge your duties without discrimination, meaning that bias regarding the race, color, religious beliefs, national origin, sexual orientation, gender, or disability of any party, any witnesses, and the lawyers should play no part in the exercise of your judgment throughout the trial.
- You have already filled out electronic questionnaires in this case.
- I have provided your answers to the lawyers.
- Based on answers to the questionnaire, some prospective jurors were already released.
- Today, I and the lawyers will follow up with you on your answers to the questionnaire, and the lawyers will ask you some additional questions.
- As you answer the lawyers' questions, we ask that you look within yourselves and see if there is anything there in your life experiences or your personal beliefs that

might be such a strong influence that it would overcome your ability to serve as a fair and impartial juror.

- These questions may sometimes involve issues that are sensitive for you.

## **LAWYER QUESTIONS**

- Now, the lawyers for each side will each be given two fifteen-minute periods to ask you some questions.

## **NEXT STEPS**

- Thank you, members of the jury pool.
- This hearing will end in a moment, so let me explain what will happen next.
- After we have gone through all of the panels, the lawyers and I will talk about whether to release some of you from the jury selection process.
- We expect to contact you by late today or early tomorrow, to let you know whether you have been released, or whether you will continue in the jury selection process.
- If you continue in the jury selection process, you will be given instructions on where to report, and when.
- It is likely that the trial will start \_\_\_\_\_.
- So please keep in mind that if you are selected as a juror, you may be required to be on Zoom all day, starting \_\_\_\_\_, at \_\_\_\_\_.
- And there are no exceptions.
- So if you get an email from us saying be on Zoom for trial, you must be on Zoom for trial.
- And your presence is critical, because we cannot proceed without you.
- So if we email you later today and tell you that you've been selected for trial tomorrow, and you don't appear on Zoom in the morning, or you're late, we will have to all sit there and wait for you, because we can't hear any evidence without you.
- So please monitor your email closely.
- You have not been released from jury service yet, and that means that you are still subject to the court order requiring you to appear.
- In the meantime, you are not to talk with anyone about this case for any reason.

- The only people you may discuss this case with are me, the lawyers in this case, and the court staff.
- Please do not conduct any research into the people, facts, or law involved with this case, at all, for any reason.
- No internet research.
- No research of any kind.
- If your employer or another person needs to know where you are, you may tell them that you are participating in jury service, and you may tell them when and where you need to be.
- You may also tell them that the judge has ordered you not to discuss any facts or law relating to the case.